

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hegemann et al.

Group Art Unit: Unassigned

Application No. 10/510,628

Examiner: Unassigned

Filing Date: October 8, 2004

For: USE OF BIOLOGICAL  
PHOTORECEPTORS AS DIRECTLY  
LIGHT-ACTIVATED ION CHANNELS

## RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir

Applicant(s) hereby respond(s) to the Notification of Missing Requirements dated April 1, 2005.

The items checked below are appropriate:

## 1. Status of Applicant

This application is on behalf of ☒ other than a small entity or ☐ a small entity.

## CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this Response and all accompanying documents are, on the date indicated below, ☒ being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or ☐ being facsimile transmitted to the U.S. Patent and Trademark Office, Facsimile Number [703] 872-9306.

Name (Print/Type)	Melissa Kolom		
Signature	Melissa Kolom	Date	May 4, 2005

## 2. Documents Submitted Herewith

- a. ☒ Executed Declaration of inventor(s)
- b. ☐ Nucleotide and/or Amino Acid Sequence Submission:
  - i. ☐ Computer Readable Form (CRF)
  - ii. Specification Sequence Listing on:
    - (1) ☐ CD-ROM or CD-R (2 copies); or
    - (2) ☐ Paper Copy
  - iii. ☐ Statement verifying identity of above copies
- c. ☐ Verified English translation of application
- d. ☒ Copy of the Notification of Missing Requirements
- e. ☐ Substitute Drawings
- f. ☒ Other: Return receipt postcard

## 3. Application Filing Fee

- a. ☐ No application filing fee due
- b. ☐ Application filing fee due in amount calculated below:

BASIC FEE (\$300 FILING FEE + \$200 EXAMINATION FEE + \$500 SEARCH FEE)				\$1,000.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	-20=		x \$50.00	\$
Independent Claims	- 3=		x \$200.00	\$
<input type="checkbox"/> Multiple Dependent Claim(s) if applicable			+\$360.00	\$
<input type="checkbox"/> Application Size Fee (\$250 for each additional 50 sheets over 100)				\$
Total of above calculations =				\$
Reduction by 50% for filing by small entity =				\$( )
Fee Already Paid =				\$
Fee Due =				\$

## 4. Late Filing of Oath or Declaration Surcharge

Pursuant to 37 CFR 1.16(e), the surcharge for filing this Response is for  
☒ other than a small entity or ☐ a small entity.

**Fee Due** \$130.00

## 5. Non-English Specification Surcharge

Pursuant to 37 CFR 1.17(i), the surcharge for submitting an English translation of the non-English specification is included.

05/12/2005 GFREY1 00000118 121216 10510628

01 FC:1617 130.00 DA

**Fee Due** \$ 0.00

**6. Extension of Time**

- ☐ Applicant(s) petition(s) for a one-month extension of time under 37 CFR 1.136, the fee for which is \$120.00.
- ☐ Applicant(s) believe(s) that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant(s) has/have inadvertently overlooked the need for a petition and fee for extension of time.

**Fee Due**            \$0.00

**7. Total Fee Due**

The total fee due is:

Application Filing Fee	
Late Filing of Declaration Surcharge	\$130.00
Non-English Specification Surcharge	\$ 0.00
Extension of Time Fee	\$ 0.00


**Total Fee Due: \$130.00**

**8. Fee Payment**

- ☐ Attached is a check in the sum of \$ .
- ☒ Charge Account No. 12-1216 the sum of \$130.00. A duplicate of this transmittal is attached.

**9. Fee Deficiency**

- ☒ If any additional fee is required in connection with this communication, charge Account No. 12-1216. A duplicate of this transmittal is attached.

  
\_\_\_\_\_  
Melissa E. Kolom, Reg. No. 51,860  
LEYDIG, VOIT & MAYER, LTD.  
Two Prudential Plaza, Suite 4900  
180 North Stetson Avenue  
Chicago, Illinois 60601-6780  
(312) 616-5600 (telephone)  
(312) 616-5700 (facsimile)

Date: May 4, 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/510,628	Peter Hegemann	231181

INTERNATIONAL APPLICATION NO.
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PCT/EP03/03799

I.A. FILING DATE	PRIORITY DATE
04/11/2003	04/11/2002

23460

LEYDIG VOIT & MAYER, LTD  
TWO PRUDENTIAL PLAZA, SUITE 4900  
180 NORTH STETSON AVENUE  
CHICAGO, IL 60601-6780

CONFIRMATION NO. 4179

371 FORMALITIES LETTER

\*OC000000015613219\*

\*OC000000015613219\*

Date Mailed: 04/01/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/08/2004
- English Translation of the IA filed on 10/08/2004
- Copy of the International Search Report filed on 10/08/2004
- Copy of IPE Report filed on 10/08/2004
- Preliminary Amendments filed on 10/08/2004
- Information Disclosure Statements filed on 11/02/2004
- Biochemical Sequence Diskette filed on 10/08/2004
- Biochemical Sequence Listing filed on 10/08/2004
- Request for Immediate Examination filed on 10/08/2004
- U.S. Basic National Fees filed on 10/08/2004
- Priority Documents filed on 10/08/2004

LEYDIG, VOIT & MAYER  
RECEIVED

APR 11 2005

PAT/TM Due Date

6-1-05

11-1-05 final

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

LAH

JAC

• \$130 Late oath or declaration Surcharge.

• ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/510,628	PCT/EP03/03799	231181